

HAGEMAN ASKS COURT TO QUASH INDICTMENTS

President of Met. Life Ins. Co. Innocent of Wrong Intent, Says Morgan J. O'Brien.

TEN SEPARATE CHARGES.

Three for Perjury and Seven for Forgery—Judge Takes Case Under Adversity.

A motion to quash seven indictments against John R. Hageman, President of the Metropolitan Life Insurance Company, was argued to-day before Judge Morgan J. O'Brien in the Criminal Branch of the Supreme Court by former Supreme Court Justice Morgan J. O'Brien. In court with Judge O'Brien, and retained with him for the defense, were John G. Millburn, De Lancy Wood and John D. Lindsay. The District Attorney made no oral answer to Justice O'Brien, but will file a brief.

There are three indictments against Mr. Hageman charging perjury and seven charging forgery in the third degree. The indictments were found by the Grand Jury of the District of Columbia and a squad of attorneys had made a long examination of the books of the Metropolitan.

The accounts found that it was the custom to transfer collateral loans and systematic accounts, which the officers of the company were desirous of hiding from the State Insurance Department. On Dec. 10 of each year from the company to John R. Hageman or Vermilyea & Co., brokers. On Jan. 2, after the annual reports to the State Insurance Department had been made out and sworn to, the accounts would be transferred back.

Transfers Held to Be Forgery. Assistant District Attorney Kresel took the ground that these transfers, made for the purpose of defrauding the insurance department, were, in the eyes of the law, forgery when recorded on the books of the company and that President Hageman was responsible for the bookkeeping. Mr. Kresel also held that Mr. Hageman, in swearing to the correctness of the reports made from the company's books, committed perjury.

He communicated his belief to the Grand Jury, submitted testimony and documents to that body, and the indictments followed. Judge O'Brien, for Mr. Hageman, secured possession of the Grand Jury minutes and built up a plan of defense. The first move in which was to-day's attempt to have the indictments quashed.

In brief, Judge O'Brien's main point in the argument was that the book entries did not constitute a violation of the law in that they were not made with intent to defraud. The law did not demand any such intent.

Judge O'Brien maintained that even though the book entries were not made with the knowledge of the Grand Jury, they were not made with the knowledge of the Grand Jury. He held that the perjury was committed because Mr. Hageman was committed to swear to the correctness of the reports made from the company's books, and that he was not aware of the falsity of the reports.

He represented, said Judge O'Brien, that the company was a man in the community, the head of the largest insurance company in the world, a man who has achieved for himself a reputation in business and in private life that is envied by all. He said that the company was a man who has achieved for himself a reputation in business and in private life that is envied by all.

Judge O'Brien first took up the perjury charges and argued that the evidence was not only sufficient to show that Hageman swore falsely with corrupt intent, but conclusively negated such presumption. He declared that the book entries upon which the indictments were based—entries showing what purported to be bona fide transfers of collateral and securities—were not material.

Even, said Judge O'Brien, "if the statements in the reports were possibly inaccurate, there is nothing in the evidence to show that they were false." His Honest Judgment. In answering to the correctness of the reports Mr. Hageman, according to Judge O'Brien, swore simply to his honest belief. He said that the company was a man who has achieved for himself a reputation in business and in private life that is envied by all.

GRANT LEADS IN TEST-RIDE OF ARMY OFFICERS.

WASHINGTON, Oct. 21.—Major Gen. Frederick D. Grant, commanding the First Army, returned from New York to-day and immediately headed a detachment of thirty-five of the field officers attached to that department on the fifteen-mile test ride. The officers were of the grade of captain and below that of general.

This is the last of the test rides to be made by the officers of the department in the East. The first ride being made at Jamestown and the second starting from Fort Belvoir, Ariz.

THOUGHT JUNKMAN A KIDNAPPER.

Fanny Lane, an Italian junkman, just escaped being roughly handled at Boston avenue, near the Union square, to-day by a crowd of indignant men and women that believed he wanted to kidnap Adolph Kahn, four years old, who lived at No. 47 Fillmore street.

The junkman, according to the boy, asked him to take a ride on his cart, offering him some pennies. The youngster ran screaming down the road until he met Stephen Redmond, a neighbor. Redmond caught the Italian and with the assistance of several other persons living in the vicinity held him until policeman Johnson of the Westchester station arrested him.

Some of the crowd that collected wanted to threaten the prisoner, but were dissuaded. The junkman was taken to the Municipal Court this afternoon. He lives at No. 60 Morris avenue.

Swift & Company's sales of fresh beef in New York city for the week ending Oct. 19, averaged 7.61 cents per pound.

FISH DICTATES TO HARRIMAN AND THE BATTLE HALTS

Beats Him in Illinois Central Proxy Count, and Meeting Put Off Till December.

CHICAGO, Oct. 21.—Styvesant Fish to-day secured a postponement of the Illinois Central stockholders' meeting until Dec. 18. The Harriman people agreed to the adjournment, although they had previously been anxious to push matters as rapidly as possible.

The decision to adjourn the meeting was the result of a conference held at 3 o'clock this morning between William Nelson Cromwell for Mr. Harriman, and former Judge E. H. Farrar for Mr. Fish. The overtures came from Mr. Cromwell, who sought out the Fish people and declared that he wished to come to some sort of an agreement.

He was informed by Farrar that the only agreement that could be reached was to accept the terms of Mr. Fish, which would be the adjournment of the meeting until Dec. 18, and a decision of court, if the Harriman people so desired, to determine the right to vote the 264,718 shares of stock against which a temporary injunction was issued by Judge Hall a week ago.

After an extended conference Mr. Cromwell assented, and the following agreement was signed by him and by Mr. Farrar.

"We recognize that the numerous and complicated legal questions at issue will probably prolong the matter for a considerable period, and that no official determination by the inspectors or tellers as to the shares of stock represented by person and by proxy at said meeting has yet been reached one way or the other.

"In the interest of the company and its stockholders at large, we consider it best to postpone the meeting to Dec. 18, at 12 o'clock noon, and we agree in behalf of the interests we respectively represent that they shall vote for such adjournment, beginning with the convening of the said inst. at 11 o'clock A. M., without any reports being received or other business being transacted or any determination of the inspectors."

The proxy committee late last night had worked down to the names of the stockholders when the meeting convened on the 21st inst. at 11 o'clock A. M., without any reports being received or other business being transacted or any determination of the inspectors."

Mr. Fish to-day declined to discuss the situation, but was apparently highly pleased at the terms of the agreement. He sat upon a table in his rooms at the Auditorium Annex, smiling his feet like a boy, and was evidently in good humor.

SAT UPON \$10,000 GEMS AT SUBWAY

Porter Got Lost and Salesman Hired Sleuths to Find Him Waiting.

With \$10,000 worth of sample jewelry in his case, James Walker, a negro carrier, employed by the wholesale jewelry firm of Unger & Christie, of No. 20 Arlington street, Newark, N. J., sat three hours at the John street entrance to the subway, scanning every face that passed, in a vain effort to detect some one who looked like his employer.

Walker and John A. Lassell, a salesman connected with the firm, came across to Cortlandt street and Walker got lost in the crowd. Lassell went to the Pinkertons and told his story. A search was made for the missing Walker.

Somebody told a sleuth that a strange negro was sitting on two leather teleseats at the subway station and crying. When the detectives arrived Walker jumped up and said:

"Please, boss, won't you find Mistah Lassell. I done got lost in dat shufflin' and dese heah gems and diamonds and stuff may be lost if you don't take 'em quick."

The three were found intact and the \$10,000 worth of brooches, belt buckles, bangles, scarf pins and other Christmas presents were restored.

ADDISON

ARROW

4 SIZE COLLARS

HAVE BUTTONHOLES WHICH ARE STAYED AND STRENGTHENED BY A BAR WHICH PREVENTS PULLING OUT.

100 EACH; 2 FOR 25C.

CLUETT, PEABODY & CO., MAKERS

HARTJE MOVES TO REOPEN DIVORCE; CHARGES PERJURY

Accuses His Wife of Winning Court Suit by Giving False Testimony.

PHILADELPHIA, Oct. 21.—Counsel representing Augustus Hartje, the Pittsburgh manufacturer, who was granted a divorce from his wife, Mary Scott Hartje, by the Allegheny County Court, appeared before the State Superior Court here to-day to make argument on a petition for the reopening of the case in the midst of newly discovered evidence.

The evidence consists of alleged incriminating letters which passed between Mrs. Hartje and the family coachman, Thomas Madine, who was named as correspondent in the suit, and other letters which passed between Mrs. Hartje's two sisters and Howard W. Lappe.

Chief Judge Rice after a consultation with the other judges informed Hartje's attorney that the Court did not desire at this time to listen to argument on the merits of the appeal, but that the Court was anxious to hear argument as to the Court's power to order the reopening of the case.

Counsel for both sides then proceeded to argue on the question of the Court's right to reopen the case and at the conclusion, the matter was taken under advisement.

An appeal by Hartje from the decision of the Allegheny County Court, which refused him a divorce, is pending in the Superior Court, and a decision was about to be handed down when the application to reopen the case was filed.

In the petition presented to the court for the reopening of the case, Hartje presented eight reasons as a justification for a reopening. Chief among them was the following: The application to reopen the case was filed in the Superior Court after the decision of the County Court, and the decision of the County Court was based on the testimony of Thomas Madine, who was named as correspondent in the suit, and other letters which passed between Mrs. Hartje's two sisters and Howard W. Lappe.

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LIEUT.-COL. KIPP QUILTS THE SEVENTH

Veteran Militia Officer Takes Leave of Regiment He Served 50 Years.

Lieut.-Col. William Halstead Kipp, of the Seventh Regiment, resigned from the organization to-day after rounding out a half century in the regiment. Col. Kipp is Chief Clerk of the Police Department.

When he reached his office to-day a giant floral horseshoe, from the officers of the Seventh Regiment, stood on his desk. The veteran was visibly affected as he made a few appropriate remarks to the fellow-officers in quitting the militia.

Col. Kipp, with his regiment, saw service in the first three years of the war. He joined the police force in 1873, succeeding Seth C. Hawley. Since that time he has held twenty-eight Police Commissioner positions, including President Roosevelt.

He is sixty-eight years old, and says that he has no intention of quitting the department until infirmity forces him to.

SQUIRREL GOES TO CHURCH; DIDN'T HEAR THE SERMON.

PHILADELPHIA, Oct. 21.—"I tell my brethren, this," said Rev. Samuel M. Thompson raised both hand and voice at the most dramatic point of his sermon in the Methodist Episcopal Church in Wayne yesterday morning and then let the hand drop and stilled the voice.

A little red squirrel occupied a perch on the top of a pew back window. It was in the air, its ear was cocked toward the speaker and its small, bright eyes gazed speculatively upon him.

There was dead silence for a moment, while another squirrel appeared over the faces of the worshippers. The pastor placed the hand which had been lifted over his mouth. A tendency to yawn manifested itself in the congregation. The squirrel shifted its position, looked at Pastor Thompson, thought to say "Go on," and then seemed to understand that it was in the wrong place.

It slowly and melancholy of mien, it left its perch and went out to its tree. The sermon went on.

STOCKS STRONG AND THE TRADING ACTIVE

Smelting, Coppers and All Railroad Issues Gain on Clearing-House Action.

The announcement made by the Clearing-House Committee that all the banks which at the close of business on Saturday were under suspension were solvent and would receive any necessary assistance had a decidedly reassuring effect on the stock market in to-day's early dealings, the opening being active and excited at substantial gains.

Early London cables reported a strong tone to the markets there, British Consols having advanced 3/16 and Americans anywhere from 1/4 to 3/4 points. United Pacific, Southern Pacific and Canadian Pacific leading in the rise. Illinois Central was an exceptionally weak feature of the foreign market.

Both London and the Continent sent liberal buying orders to this side, indicating that the foreigners were favorably impressed with the over-Sunday developments in connection with the local banking situation and that they did not anticipate any further exports of gold from this side in addition to the \$1,500,000 to be shipped to Germany to-morrow.

First prices here showed advances over Saturday's final, ranging from 1 to 3 points. Smelting, Union Pacific, St. Paul, Amalgamated Copper, Southern Pacific, Missouri Pacific, and Reading scoring the greatest gains.

A severe drive made against the short interest, which was over-extended at the close of last week, helped in the advance. Shortly after the opening further fractional advances were recorded and Smelters sold up to 6 1/4, a maximum advance of 3 1/4 points from Saturday.

This movement was succeeded by a general reaction of 1/4 to 1 per cent. A severe drive made against the short interest, which was over-extended at the close of last week, helped in the advance. Shortly after the opening further fractional advances were recorded and Smelters sold up to 6 1/4, a maximum advance of 3 1/4 points from Saturday.

A fresh slump in Consolidated Steamship bonds on the curb to 13 1/2, a new low record, accompanied by excited dealing, around 12 o'clock, when the American Ice on the Exchange to-day tended to temporarily check the rising current. Around noon, however, the general market was firm with prices as a rule within a fraction of the best.

The statement that all the streets had gone through the Clearing House had a good influence. Under the influence of continued heavy covering of short contracts, the entire stock market gathered increased strength around noon, after which further considerable advances were scored. Smelters still led in the upward movement and touched 8 1/2, a gain of 5 1/2 points from Saturday. Union Pacific, Amalgamated Copper, Atchafalpa, Illinois Central, Consolidated Gas, the Hill, Southern Pacific and the United States Steel shares were most conspicuous for strength.

An advance in the call money rate to 2 per cent. and the fact that the Sub-Treasury was a creditor at the Clearing House in the sum of \$44,200 had no appreciable influence on values, which were strengthened by the assurance coming from several of the money market makers that the local banking situation is now well in hand. A reduction of 1/2 cent. in the posted rate for sterling exchange likewise had a reassuring effect, as tending to restore the value of the dollar to its former level.

Stocks closed less active but strong. Smelting going to 7 1/4, a gain of 1 1/2 points over the close on Saturday. The advances in the general list ran from 1 to 6 points.

The Closing Quotations.

Stock	High	Low	Close	Net
Am. Chalmers	47 1/2	47 1/4	47 1/4	1 1/2
Am. Coal & P.	29 1/2	29 1/4	29 1/4	1 1/2
Am. Cotton Oil	30	29 3/4	30	1 1/2
Am. Dist. Tel.	44 1/2	44 1/4	44 1/4	1 1/2
Am. Express	64 1/2	64 1/4	64 1/4	1 1/2
Am. Ice	10 1/2	10 1/4	10 1/4	1 1/2
Am. Iron Works	10 1/2	10 1/4	10 1/4	1 1/2
Am. Lumber	10 1/2	10 1/4	10 1/4	1 1/2
Am. Oil	10 1/2	10 1/4	10 1/4	1 1/2
Am. Paper	10 1/2	10 1/4	10 1/4	1 1/2
Am. Rubber	10 1/2	10 1/4	10 1/4	1 1/2
Am. Steel	10 1/2	10 1/4	10 1/4	1 1/2
Am. Sugar	10 1/2	10 1/4	10 1/4	1 1/2
Am. Tobacco	10 1/2	10 1/4	10 1/4	1 1/2
Am. Woolen	10 1/2	10 1/4	10 1/4	1 1/2
Am. Zinc	10 1/2	10 1/4	10 1/4	1 1/2
Am. Copper	10 1/2	10 1/4	10 1/4	1 1/2
Am. Lead	10 1/2	10 1/4	10 1/4	1 1/2
Am. Tin	10 1/2	10 1/4	10 1/4	1 1/2
Am. Silver	10 1/2	10 1/4	10 1/4	1 1/2
Am. Gold	10 1/2	10 1/4	10 1/4	1 1/2
Am. Platinum	10 1/2	10 1/4	10 1/4	1 1/2
Am. Palladium	10 1/2	10 1/4	10 1/4	1 1/2
Am. Iridium	10 1/2	10 1/4	10 1/4	1 1/2
Am. Rhodium	10 1/2	10 1/4	10 1/4	1 1/2
Am. Selenium	10 1/2	10 1/4	10 1/4	1 1/2
Am. Tellurium	10 1/2	10 1/4	10 1/4	1 1/2
Am. Vanadium	10 1/2	10 1/4	10 1/4	1 1/2
Am. Zirconium	10 1/2	10 1/4	10 1/4	1 1/2
Am. Niobium	10 1/2	10 1/4	10 1/4	1 1/2
Am. Hafnium	10 1/2	10 1/4	10 1/4	1 1/2
Am. Tantalum	10 1/2	10 1/4	10 1/4	1 1/2
Am. Niobium	10 1/2	10 1/4	10 1/4	1 1/2
Am. Zirconium	10 1/2	10 1/4	10 1/4	1 1/2
Am. Vanadium	10 1/2	10 1/4	10 1/4	1 1/2
Am. Niobium	10 1/2	10 1/4	10 1/4	1 1/2
Am. Zirconium	10 1/2	10 1/4	10 1/4	1 1/2
Am. Vanadium	10 1/2	10 1/4	10 1/4	1 1/2
Am. Niobium	10 1/2	10 1/4	10 1/4	1 1/2
Am. Zirconium	10 1/2	10 1/4	10 1/4	1 1/2
Am. Vanadium	10 1/2	10 1/4	10 1/4	1 1/2
Am. Niobium	10 1/2	10 1/4	10 1/4	1 1/2
Am. Zirconium	10 1/2	10 1/4	10 1/4	1 1/2
Am. Vanadium	10 1/2	10 1/4	10 1/4	1 1/2
Am. Niobium	10 1/2	10 1/4	10 1/4	1 1/2
Am. Zirconium	10 1/2	10 1/4	10 1/4	1 1/2
Am. Vanadium	10 1/2	10 1/4	10 1/4	1 1/2
Am. Niobium	10 1/2	10 1/4	10 1/4	1 1/2
Am. Zirconium	10 1/2	10 1/4	10 1/4	1 1/2
Am. Vanadium	10 1/2	10 1/4	10 1/4	1 1/2
Am. Niobium	10 1/2	10 1/4	10 1/4	1 1/2
Am. Zirconium	10 1/2	10 1/4	10 1/4	1 1/2
Am. Vanadium	10 1/2	10 1/4	10 1/4	1 1/2
Am. Niobium	10 1/2	10 1/4	10 1/4	1 1/2
Am. Zirconium	10 1/2	10 1/4	10 1/4	1 1/2
Am. Vanadium	10 1/2	10 1/4	10 1/4	1 1/2
Am. Niobium	10 1/2	10 1/4	10 1/4	1 1/2
Am. Zirconium	10 1/2	10 1/4	10 1/4	1 1/2
Am. Vanadium	10 1/2	10 1/4	10 1/4	1 1/2
Am. Niobium	10 1/2	10 1/4	10 1/4	1 1/2
Am. Zirconium	10 1/2	10 1/4	10 1/4	1 1/2
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Am. Zirconium	10 1/2	10 1/4	10 1/4	1 1/2
Am. Vanadium	10 1/2	10 1/4	10 1/4	1 1/2
Am. Niobium	10 1/2	10 1/4	10 1/4	1 1/2
Am. Zirconium	10 1/2	10 1/4	10 1/4	1 1/2
Am. Vanadium	10 1/2	10 1/4	10 1/4	1 1/2
Am. Niobium	10 1/2	10 1/4	10 1/4	1 1/2
Am. Zirconium	10 1/2	10 1/4	10 1/4	1 1/2
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Am. Zirconium	10 1/2	10 1/4	10 1/4	1 1/2
Am. Vanadium	10 1/2	10 1/4	10 1/4	1 1/2
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Am. Zirconium	10 1/2	10 1/4	10 1/4	1 1/2
Am. Vanadium	10 1/2	10 1/4	10 1/4	1 1/2
Am. Niobium	10 1/2	10 1/4	10 1/4	1 1/2
Am. Zirconium	10 1/2	10 1/4	10 1/4	1 1/2
Am. Vanadium	10 1/2	10 1/4	10 1/4	1 1/2
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